6889094/2023/VIG-II-AGC01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service - Agricultural Marketing Department – Departmental proceedings initiated against Sri K. Subba Reddy, Deputy Executive Engineer (AM), Kurnool under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991– Article of Charge – Issued.

==========

AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No.47 **Dated:13.01.2023**
Read:

E-file No.AGC05-16021/48/2021-DISCPLR SEC-MRKT (Computer No: 1512750), dated:17-08-2022 & 05-01-2023.

--oOo--

O R D E R:

It is proposed to hold an inquiry against Sri K. Subba Reddy, Deputy Executive Engineer (AM), Kurnool in accordance with the procedure laid down under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statements of article of charge (Annexure–I & II). A list of documents by which and a list of witnesses by whom the article of charge are proposed to be sustained are also enclosed(Annexure–III & IV).

3. Sri K. Subba Reddy, Deputy Executive Engineer (AM), Kurnool is directed to submit his written statement of defence within 15 days from the receipt of this order.

4. Sri K. Subba Reddy, Deputy Executive Engineer (AM), Kurnool is informed that an inquiry will be held only in respect of those article of charge that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri K. Subba Reddy, Deputy Executive Engineer (AM), Kurnool is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

6. Sri K. Subba Reddy, Deputy Executive Engineer (AM), Kurnool is informed that Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 stipulates that under which no circumstances, Government servant shall bring or attempt to bring any political or outside influence to hear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri K.Subba Reddy, Deputy Executive Engineer (AM), Kurnool is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O.)

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHARA PRADESH)

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K. Subba Reddy, Deputy Executive Engineer(AM), Kurnool.
(Through:The Commissioner & Director of Agricultural Marketing, A.P., Guntur)
Copy to:-
The Commissioner & Director of Agricultural Marketing, A.P., Guntur (with a request to serve the order on the individual and send the served copy with dated signature of the Charged Officer to Government)
✓ SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

(Contd..3)

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI. K. SUBBA REDDY, DEPUTY EXECUTIVE ENGINEER (AM), KURNOOL

ARTICLE OF CHARGE:

"That Sri K. Subba Reddy, Deputy Executive Engineer(AM), Kurnool has committed following financial irregularities:-

1. He has willfully allowed the unauthorized constructions of (4) Nos. of RCC dustbins instead of 12 Nos. of RCC dustbins sanctioned by the Commissioner & Director of Agricultural Marketing, A.P., Guntur in deviating the agreement norms and without prior approval / intimation to the higher authorities and payment also made after lapse of agreement.
2. He has willfully allowed the renovation work of repairs to one old toilet block duly colluded with Smt. R. Jaya Lakshmi, the then Selection Grade Secretary , AMC, Kurnool in the name of the construction of new toilet block and proposed the bill for an amount of Rs.8,35,744/- for above irregular constructions.

Thus, it shows his gross negligence towards his official duties, arrogance and lack of devotion to duty and thus, violated the Rule 3 of A.P. Civil Services (Conduct) Rules 1964"

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K. SUBBA REDDY, DEPUTY EXECUTIVE ENGINEER (AM), KURNOOL.

Imputation of Charge:

1. Basing on report of RDDM, Kadapa, the Commissioner & Director of Marketing, Guntur has sanctioned the work of construction of 12 Nos. of RCC dustbins with Rs.6.00 lakhs in the old and new market yard, Kurnool, vide Proc.No.AGCO5-11023/30/2019, dated:19-08-2019.

As seen from the agreement entered between the Contractor and the Executive Engineer(AM), Kadapa, it is observed that, the tender was accepted for Rs.3,99,570-23 towards construction of 12 Nos. of RCC dustbins in the Old and New Market Yard, Kurnool within a period of Two (2) months. Accordingly, agreement was made to that effect on 29-10-2019 between Contractor and Executive Engineer (AM), Kadapa.

(P.T.O..4)

During the inspection of RDDM, Kadapa to the Market Yard, Kurnool on 06-06-2022, it is found that, only 4 Nos. of RCC dust bins with different sizes are constructed in the old and new Market Yard, Kurnool. The first and final bill for the said work is generated during October 2021 with net amount of Rs.4,12,518-85 vide CFMS bill No. 2021-1747677, dated:01-12-2021 and payment was succeeded to the Contractor on 07-03-2022 as proposed by Sri K. Subba Reddy, Deputy Executive Engineer(AM), Kurnool.

In view of the above, the following deviations are clearly established.

- It is clearly evident that, without any approval of the Commissioner & Director of Marketing, AP, Guntur / Superintendent Engineer (AM), Guntur/ competent authority, (4) Nos. of RCC dust bins were constructed instead of (12) Nos. of RCC dustbins and payment was made in violation of the sanction orders of the Commissioner & Director of Marketing, AP, Guntur vide Proc.No.AGCO5-11023/30/2019, dated:19-08-2019 and also it is in deviation of the agreement entered i.e., completing the work after a lapse of so many months, thereby causing the violation of Rule 31(5) of A.P.(AP&LS)Markets Rules, 1969.
- The first and final bill of the work pertaining to the year 2019 was generated in the month of October 2021. The delay is not justified by Sri K. Subba Reddy, Deputy Executive Engineer(AM), Kurnool.

2. Basing on report of RDDM, Kadapa,it is noticed that, the Commissioner & Director of Marketing, AP, Guntur has issued Administrative sanction for Rs.30.00 lakhs towards construction of (3) Nos. of Toilet Blocks and water supply arrangements in the Market Yard, Kurnool, Vide Proc.No.AGCO5-24022/6/2019-ZO-JD-KDP, dated:13-10-2019.

As seen from the agreement entered between the Contractor and Executive Engineer (AM), Kadapa, it is observed that, the tender was accepted for an amount of Rs.21,23,756-25 towards construction of 3 Nos. of Toilet blocks and water supply arrangements in the Market Yard, Kurnool within a period of three (3) months. Accordingly, agreement was effect on 13-11-2019 between contractor and Executive Engineer (AM), Kadapa.

During the inspection of Market Yard, Kurnool on 06-06-2022, it is found that, only (1) No. of toilet block was renovated and one more is at pillar stage. The said work has been delayed abnormally.

Hence, Sri K. Subba Reddy, Deputy Executive Engineer(AM), Kurnool has violated Rule 3 of A.P. Civil Services (Conduct) Rules, 1964. Hence the charge.

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

(Contd..5)

ANNEXURE–III

LIST OF DOCUMENTS ON THE BASIS OF WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI K. SUBBA REDDY, DEPUTY EXECUTIVE ENGINEER (AM), KURNOOL.

Letter No. 11/2022, dated:20.06.2022 of the Regional Deputy Director of Marketing, Kadapa.

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE–IV

LIST OF WITNESS BY WHOM BY THE ARTICLE OF CHARGE FRAMED AGAINST SRI K. SUBBA REDDY, DEPUTY EXECUTIVE ENGINEER (AM), KURNOOL,

Smt. P. Lavanya, Regional Deputy Director of Marketing, Kadapa.

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT